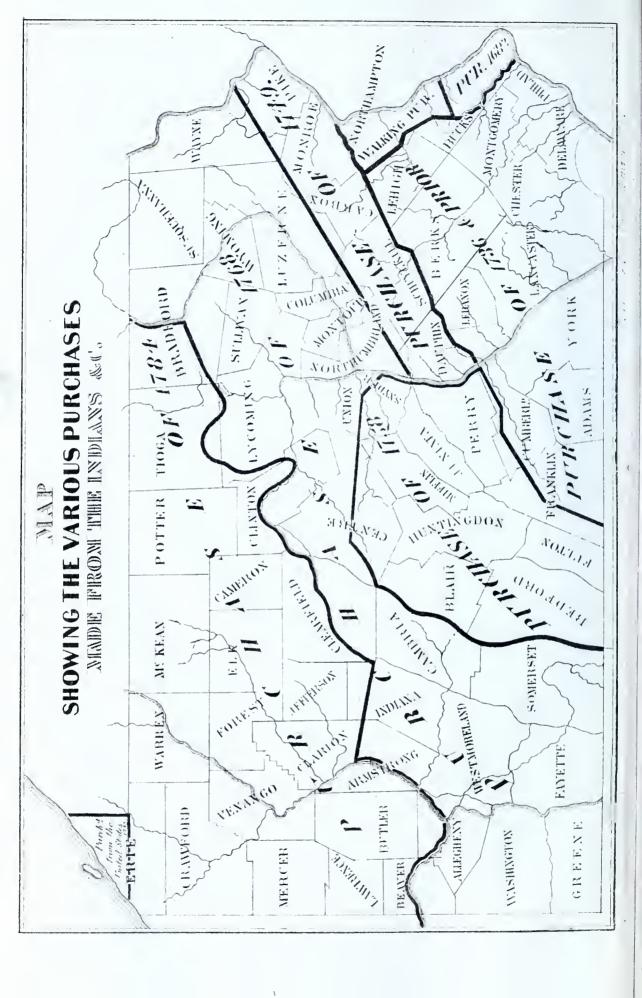


STATE LIB. OF PA. Digitized by the Internet Archive in 2016

1872







ANNUAL REPORT

OF THE

SURVEYOR GENERAL

OF THE

COMMONWEALTH OF PENNSYLVANIA.

FOR THE

Year ending November 30, 1872.

HARRISBURG:

B. SINGERLY, STATE PRINTER.
1872.

238.2° C2

REPORT.

Surveyor General's Office, Harrisburg, December 3, 1872.)

To His Excellency, John W. Geary,

Governor of the Commonwealth of Pennsylvania?

Sin:—I have the honor to submit the following detailed statement of the operations of this Department, for the year ending the 30th of November.

Business done during the year.

- 1,544 Accounts against unpatented lands entered on "special list" and forwarded to county surveyors, under act of 11th of April, 1872.
- 27,492 Surveys copied for county surveyors and forwarded, under act of 11th of April, 1872.
 - 200 Surveys copied and certified, under the act of 15th February, 1833. compared and entered in book of such surveys.
 - 115 Tracts of land released under the act of 15th April, 1869; releases recorded and certificates forwarded to the prothonotaries of the several counties.
 - 453 Surveys received, tested and entered.
 - 19 Surveys received, tested, entered in book of incorrect surveys and returned for correction.
 - 11 Corrected surveys received, re-calculated and entered.
- 6,190 Letters and applications for official documents and information, received and attended to.
- 1,010 Patents written and recorded.
 - 220 Warrants written and entered in register.
 - 87 Warrants to accept surveys written and filed.
- 1,168 Certificates of indebtedness made and directed to the State Treasurer.
- 1,168 Treasurers' receipts entered and delivered to Auditor General.
 - 12 Monthly statements delivered to Auditor General.

75997

- 1,266 Vouchers written and entered.
- 1,677 Accounts in ledger closed.
 - Son Certificates of liquidation of lien made out and addressed to the prothonotaries of the several counties, under act of 4th April, 1868.

Work done for which fees have been received, for the year ending November 30, 1872.

1.942	Copies of surveys	\$971	00
	Copies of warrants	214	00
317	Copies of patents	279	50
	Searches	146	00
238	Connections, embracing 2,265 tracts	625	75
147 142	Copies of applications and Certificates miscellaneous copies.	194	50
220	Warrants issued	990	00
×99	Patent fees, including warrants of acceptance and other		
	fees	12,773	86

16, 194 61

, 1871,	s received, and	
31.	ed,	
erI	seiv	
n	rec	
Dece	ees	
m	ng J	
fro	pyi	
ted.	co 1	
warrants, patents and certificates to the State Treasurer, issued from Decembe	mount of purchase money and fees for warrants, patents and copying fees received, and	
er,	3nts	
sur	pate	
rea	ts,	
fe 7	1.a.	
Stai	war	
he	or	
to	es j	•
ates	Je fe	
ific	ana	
cer!	ley	
nd	mon	
is a	382	ړ.
ten	rchc	rioc
, pa	nd	; pe
suts	of	the same p
xrrc	unc	se s
$\tilde{\kappa}$	e am	17 6
r	2	ırin
nbe	nd t	d di
nn	is a	ages paid
the	181	ages
ing	ber 30, 1872, and	rtda
non	ber	mon
NT S	veml	ens and m
ME	Nos	ns a
TATE	10	lie
Ω		

Mortgages paid Town lots patented Patents paid for New warrants A GNA HENOLEMAN AND THE STATE OF T	03	Totals	Purchase money
Certificates to State Treasurer Excess tiekets	220 108 108 108 107 107 107 107 107 107 107 107 107 107	36 1,168	
Purchase money	\$6,120 89 2,778 82 2,346 17 2,6576 44 1,617 39 2,984 94 8,110 16 877 52 1,200 03 2,563 00 1,679 50	31,960 87	ණු ය. මං
Fees relating to warrants and pa- tents		13,763 86	763 83 430 75
Copying fees	\$235 25 173 00 173 00 227 25 203 75 195 25 101 00 101 00 100 50	2,430 75	831,960 87 16,194 61 48,155 18
. Totals	\$9, 421 49 6, 505 12 8, 7795 65 12, 8729 65 12, 8729 65 14, 407 54 1, 617 63 1, 617 63 1, 617 63 1, 637 12 1, 637 12	48, 155 48	

The amount of money paid into the State Treasury through this office, during the past official year, although a little less than for the year 1871, is about the average of yearly receipts since the passage of the act of 20th May, 1864.

Notwithstanding the fact that the revenue received by the Commonwealth from this source since 1864, amounted to \$471,989 30, and much the larger part of this sum within the last three years, yet it appears that the stimulus given to patenting lands, by the act of 1864, and the earnest efforts of the Surveyor General to earry that law into effect, had reached its maximum in the year 1870. After that time the applications for patents were considerably reduced.

This state of facts doubtless induced my predecessor, (who had given the subject close attention,) to recommend the passage of an act requiring the county surveyors to notify the owners of unpatented lands of the amounts of the liens held against them by the State. It was believed that an act of this kind, whilst relieving the then existing laws from the apparently harsh feature of bringing suits without previous notice, which might have been done at any time, would go far towards closing up the unfinished business of the Department, for it was supposed that few, if any of those notified, would delay the payment of the liens against their lands longer than the time given in the notices to be served by the county surveyor, as they would thereby secure from the Commonwealth the fee simple or complete title.

A supplement substantially embodying the suggestions of Surveyor General Campbell, but changed in some of the minor details, was passed during the session of 1872, and approved the 11th day of April last. As too little time remained for my predecessor, whose term of office expired on the 7th day of May, to do anything towards carrying the supplement into effect, that duty devolved upon me. A meeting of the Board of Property was at once called for the 15th of May, to take action in relation thereto. The board at this meeting, after having taken into consideration the duties enjoined upon them by the act, together with the probable amount of other work required to be performed by this office during the summer, adopted a resolution directing the Surveyor General to make out and forward to the county surveyors, respectively, partial, special lists of the unpatented lands of their counties-said special lists to contain twenty-five tracts for each county, except in those containing more than an average number of unpatented tracts, in which ease the lists were to be increased to fifty tracts each.

The work of preparing these special lists was at once commenced, and as many of the clerks as could be spared from other pressing duties of the office, were employed in making copies of the surveys of the unpatented tracts, and also of the surveys of the parts heretofore patented; when any portion of a given tract had been patented, in order that the county surveyors might the more readily and with greater certainty, find the location of the tracts, and ascertain the names of the owners, agents or occupiers; and thereby be enabled to intelligently perform their duties under the law. The first lot of these special lists completed was forwarded to the proper county surveyors on the 20th day of July, and others from time to time after that date as they were finished. These lists embraced 1,492 tracts and 52 town lots, covering 321,470 acres, against which the Commonwealth has liens for unpaid purchase money and fees, exclusive of interest accrued since June 1, 1868, amounting to over \$100,000.

Many of the county surveyors have made their reports, as required by the 3d section of the act of 11th April, 1872, and generally have been quite successful in finding the location of the tracts contained in the special lists sent them, as well as the names of the present owners; and so far as they have expressed an opinion on the subject, agree in saying that the owners so notified will at an early date take steps to secure patents, and not compel the enforcement of collections by process of law.

The notices not having been served until late in the summer and fall, and six months time from the date of the service being allowed by law, in which to pay off the liens, it was not expected that the applications for patents would materially increase during this official year, but after the 1st of January next, a considerable sum will be derived from this source.

Before the passage of the supplement of April last, many land owners whose lands were patented, but who were themselves ignorant of that fact, went to much trouble and expense to trace up their titles, fearing that suits might be brought against them and costs imposed, or their lands, if unseated, sold without their knowledge. The present law obviates that difficulty and assures the owners of notice before proceeding against the land, yet it demands that an early payment of the liens shall follow such notice.

The liens against lands not embraced in the special lists sent out this year, and which under the law remain for the further action of the Board of Property, amount to about \$500,000, thus showing the aggregate due the State from unpatented lands, at this time, to be say, \$600,000. In this estimate, allowance has been made for liens entered against tracts which have been fully paid for and patented in other warrantee names, and for which applications for releases will probably be made under the provisions of the act of 15th April, 1869.

When the amounts due on these liens shall have been collected, and the tracts against which they are entered, numbering not over 12,000, have been patented, the business of the Department will be almost entirely con-

fined to furnishing connected drafts, copies of surveys and other records for the use of parties contesting land titles, and in making conveyances: and consequently the expenses of the office can then be materially reduced.

During the past eight years very considerable has been accomplished towards closing the accounts of the State against unpatented lands; and whilst the action of the Commonwealth in relation to enforcing the payment of arrearages thereon has been extremely liberal, it is evident from the later laws pertaining to this subject, that it is the desire and intention of the State authorities to bring the whole matter to a close as soon as possible, and every reason of public policy certainly favors such a course.

The Commonwealth must deal fairly with all her citizens, and as so large a number have already made the required settlement for unpatented lands, the few who have neglected to do so cannot expect a further post-ponement of the collection of the money justly belonging to it under the contract for the purchase of these lands. The owners of unpatented tracts who have been notified cannot feel aggrieved if additional costs are added, if they neglect to make payment within the six months allowed from the date of notice.

As a very considerable time must necessarily clapse before all can be notified through the instrumentality of the county surveyors, doubtless many of those who know their lands to be unpatented, and appreciate the fact that the State intends prompt action, will pay the liens and make application for patents without waiting for legal notice to be served upon them—besides it is their interest to do so as the liens increase by accruing interest at the rate of six per cent. per annum.

The amount realized by the State for making connected drafts, single copies of surveys and for other certified copies of records required to be furnished by this Department, is altogether inadequate for the service performed—in fact the fees charged are so low as to excite the surprise of those who, for the first time, apply for copies of drafts, &c. If the people generally derived any benefit from these low rates, it might be some argument for continuing them, but since it is now only the few who are benefitted, and they usually of the more wealthy class of people, it would seem but just that the State should be paid a fair compensation, sufficient in the aggregate to pay the salaries of the clerks necessarily employed at this kind of work. Fully one-half of the entire elerical force of the office is busily engaged in making connected drafts and other copies, but under the present fee bill, passed 28th March, 1814, the amount realized as the result of their careful, painstaking labor, requiring as a rule professional ability, is thut little if any more than one-third of what it costs the Commonwealth for their salaries. I would therefore urge that the fees be so increased, as ato make this branch of the work of the office at least self-sustaining. The Commissioners of the Civil Code, in their report dated 28th January, 1871, on page 233, submitted a list of fees for this office, which if enacted into a law by the Legislature, would do justice to the State, and at the same time be liberal to the parties benefitted by the work performed.

The preservation of the records of this Department has always been regarded by the people of the State as important. The loss of them at anytime would have seriously affected the rights of many, and would have been a source of inconvenience to most land owners. The building itself having been made substantially fire proof, no danger was apprehended from without; but as the records were kept in wooden cases, fears were entertained that a fire might accidentally occur inside of the building, and in a few minutes consume the dry cases and their important contents. At the last session of the Legislature, upon the strong and urgent recommendation of General Campbell, in his last annual report, an appropriation was made for iron cases, and for heating the building from the cellar—the stoves being considered one of the greatest sources of danger. after assuming the duties of the office, having first had a full and free interehange of opinion with my predecessor, the contract for this work was given to W. W. Jennings, proprietor of the Franklin iron works of this city, who had furnished estimates and partial plans for the same, and who had every facility for doing the work. The contract was made on the basis of the market price of iron, with the cost of skilled labor, at the prices usually paid for such labor added. The work was commenced as soon as the designs could be completed and has since been energetically carried forward. The steam heating apparatus has been put in operation, and the iron eases for the lower room are finished and nearly all in place, and most of the eases for the upper room have been cast and will soon be in order for completion. Those now finished are regarded as models of neatness and convenience, and for protection from fire, they are thought to be the best that could have been devised within the limits of the appropriation—indeed the safety guarantied by them is deemed ample. The contractor has endeavored to make the work perfect in all its details-a task more difficult than was anticipated, because no similar work, constructed wholly of iron, could be found anywhere in the State from which designs could be obtained. A large amount of additional space for filing papers -much needed-has been gained by the new arrangement. When the importance of the records of the office is taken into consideration, and their safety thus assured, it will be evident that the appropriation was wise, economical and judicious.

The work of putting in the iron cases caused the disarrangement of the files of warrants, surveys and other papers to such an extent that very considerable time and labor were required to label and re-adjust those on

the first floor, and the replacing of those in the second story will also require time to put them in such shape that they will be convenient for reference. Whilst this work was necessitated, it was thought advisable to go over the entire patent files, in order to restore to their proper places any misplaced surveys; many of them were found to be so much torn, and defaced by the effects of time and use as to require copying. The act of February 16, 1833, directed the transcribing of all surveys and other records requiring it, and made such copies evidence, but thus far only 4,000 copies of such surveys have been made, though several thousand more need early transcribing in order to preserve the important evidence of boundaries and land marks set forth in them. Special attention will, as early as possible, be given to the work of copying these mutilated surveys, as it is deemed of more than ordinary importance.

The bonds composing the Agricultural College serip fund, held by the Surveyor General in trust, were sold by my predecessor, and the proceeds paid to the State Treasurer for the use of the Sinking Fund Commissioners, under the provisions of the act of 3rd April, 1872, which anthorized this sale, and in lieu thereof, a new bond of the Commonwealth for \$500,000 was issued, payable fifty years after date of February 1, 1872, with interest at the rate of six per cent. per annum; the interest to be paid semi annually to the Agricultural College of Pennsylvania by the State Treasurer, thereby relieving this Department from any further responsibility in relation to this fund.

Very respectfully,
Your obedient servant,
ROBERT B. BEATH,
Surveyor General

APPENDIX.

BOARD OF PROPERTY.

A Board of Property, eonsisting of the Attorney General, Secretary of the Commonwealth and Surveyor General, is authorized by law. "Their powers are to hear and determine in all cases of controversy on caveats, in all matters of difficulty or irregularity touching escheats, warrants on escheats, warrants to agree, rights of pre-emption, promises, imperfect titles or otherwise, which heretofore have, or hereafter may arise in transacting the business of the Land Office."

PRESENT BOARD.

F. CARROLL BREWSTER, Attorney General. Fr. Jordan, Secretary of the Commonwealth. Robert B. Beath, Surveyor General.

The stated meetings of the board will be held on the third Wednesday of every alternate month except October, which will be on the fourth Wednesday, to wit: February 15th, April 16th, June 19th, August 20th, October 22d, and December 17th, 1873. All communications for the consideration of the board should be addressed to the Surveyor General.

Note.—No particular form of eaveat is required, but the survey or other office right against which it is entered, together with the reasons for filing the same, should be distinctly stated. After the eaveat has been entered, if not more than two years have elapsed before proceeding thereon, either party may apply for a citation to bring the matter in controversy before the board, and after citation issues must give the opposing party thirty days' notice of the time fixed for hearing the ease; and either desiring to take depositions to be read in evidence, must give the other at least ten days' notice of the time and place, and before whom they are to be taken.

All other matters, within the powers of the board to hear and determine, should be brought before it by petition.

A circular letter, containing the following suggestions, has been sent each of the county surveyors, and is inserted for the information of those wh_0 may be interested:

- 1. You will faithfully execute every warrant that may be directed to you from this office, to the best of your skill, knowledge and understanding, according to the direction of such warrant. But before you make return of any lands by you surveyed on new warrants, endeavor to be satisfied that no warrant or other office right of an earlier date has been located on the same land, and on your return eertify whether the lands have been improved and for how many years. If no vacant land is found at the place designated by the ealls of the warrant, and you are therefore unable to make return of survey of any unappropriated land, you will certify that fact to this office, setting forth by whom and under what tenure or prior right the land is held.
- 2. You will, in no case, execute warrants on any other land than that which they particularly describe; and in order that your returns of survey may appear to be so executed, it will be necessary for you to be particularly attentive to the adjoiners mentioned in the warrant; and where there has been any change in them between the issuing and executing of the warrant, it should be noted in your return of survey.
- 3. You will make a separate return for each warrant or order, issued from this office, within six months after the receipt thereof, with a protracted figure of the survey, exactly performed; taking notice that all streams of water intersecting or crossing the lines of your survey, be distinctly and visibly marked on the draft, at the very place of intersection or crossing, and the distance from the corners expressed on the lines which it crosses; and to mark on your draft, by dotted lines, so much of the adjoining surveys as may serve to show how they connect with your return. Also when surveys are bounded by creeks or rivers, you will set down the courses and distances by the several meanderings, that the contents may be calculated at this office.
- 4. When you return a part of a tract of land, you will in all cases specify the quantity of acres contained in the whole tract, and on the draft of the survey represent the residue of the tract by dotted lines. But you are in no event to make and return to this office a "re-survey" of a tract either to include more land or to exclude any part, or in anywise alter the original boundary lines thereof, unless authorized to do so by an order of the Board of Property. When an order of re-survey has been issued and sent to you for execution, you are strictly to follow the directions therein contained.
- 5. You may not make use of any chain-carriers but such as are of good character, and who shall have taken a solemn oath (which you are authorized by law to administer) justly and exactly to execute their trust, without favor, partiality or affection.

- 6. You will not make return of any survey, but such as has actually been made on the ground; and take care that all outlines and boundaries be fairly and visibly marked before you quit the ground.
- 7. You may make official returns where the surveys have actually been made by your predecessors, provided they be correct, and where they have been located agreeably to the calls of the warrant.
- 8. Surveys on warrants or other office rights intended to be returned to this office, must be duly certified by the county surveyor, and that the certificates be uniform over the State, use the forms prescribed by this Department.
- 9. You may return any surplus not exceeding one hundred acres above the quantity mentioned in the warrant, but you will recollect that the price of such surplus land must be first paid into the State Treasury, before the return can be accepted in this office, of which you will give notice to the owners of the warrant, and always send the money to pay the excess with the return of survey.
- 10. All returns to this office should be under cover, directed to me, and your name subscribed on the margin of the paper or envelope enclosing the same.
- 11. You are to keep your office open within your county, for the reception of all warrants directed to you, which shall be entered in a book, kept for that purpose; distinguishing therein the name of the warrantee, quantity of land granted, date of warrant, and the day when you received it. Also, in another book, you shall keep fair and regular entries in order of time, of all surveys and re-surveys, by you made, in pursuance of any warrant or order of re-survey which you shall receive, with a draft or plot thereof, and field notes annexed.
- 12. You shall as soon as possible after the receipt of these instructions, notify this Department of the place where you may keep your office, together with your post office address.
- 13. You will be particularly careful in executing warrants granted after the 1st day of June, 1814, and not founded on actual settlement, not to interfere with the rights of settlers, and in all cases where an actual resident settlement is included, note on your return whether it was commenced prior or subsequent to the 28th day of March, 1814.
- 14. Nothing must be written on the back of any return of survey, but the name of the warrantee, the name of the county in which located and quantity of acres. With each return of survey, send the tabling and calculation thereof, upon a separate paper.
- 15. Before you can enter upon the duties of your office, you will have to comply with the seventh section of the act of Assembly, passed the 9th day of April, 1850, which requires you to take an oath or affirmation, which must be administered in the "open" court of quarter sessions, and have a

copy of said oath duly certified to this Department; also have your bond recorded in your county, and forward the same to the Secretary of the Commonwealth, with seventy-five cents, the fee for filing the same in his office.

WARRANTS, SURVEYS AND PATENTS.

A Warrant or order of survey authorizes only the survey of vacant lands, for they alone belong to the Commonwealth to grant. But whether the lands applied for are vacant or not, the land officers do not undertake to examine and in most instances do not possess the means of ascertaining. Of this the applicant must judge for himself. If he knows them to be appropriated by prior right, it is against conscience to take out a warrant for them, or to have them surveyed as vacant. But he may assert the invalidity of a former grant and insist on a survey. In that case the deputy surveyor ought, if it be known to him, to note it in his books and return of survey.

RETURNS OF SURVEYS .- Having finished the survey and plotted it, the surveyor ought to return it to the office of the Surveyor General. This is an important part of his duty. Many regulations and laws have from time to time required it, and from its omission frequent disputes have occurred. The deputy surveyor, however, is not obliged to return the survey until his fees and expenses are paid; and if the failure to return is occasioned by the neglect or refusal of the party to defray them any loss thereby sustained is imputable to him and not to the officer. The regulations of the Proprietaries and the acts of Assembly concur in directing the return to be made on paying for th If the party pays or tenders the fees, it is the duty of the surveyor to return the survey in a convenient time, and the neglect or fraud of the surveyor will not affect his rights. But it lies on the party to show that the want of the return was not occasioned by any default or neglect of his own; and if there is nothing to show that the surveying fees were paid, the inference is that they were not paid. The deputy being a sworn officer, is, prima facie, presumed to have done his duty.

THE PATENT is a deed from the Commonwealth, under its great seal, conveying to the grantee all its right in the land, describing it by metes and bounds and passes, as respects the Commonwealth, the complete legal title, all the preparatory measures of warrant, application, survey and acceptance being merged in the patent. As to third persons, it is prima facie evidence that all the previous requisites had been complied with. Before it issues, the purchase money due [and the patent fee] must always be paid; and the land is thenceforth discharged from the lien which till then existed. Gen

erally, the grantee is concluded by the lines and boundaries described in the patent, though perhaps in a special case there might be an exception.

Third persons claiming by warrant, application, settlement or otherwise, may show that the patent was wrongfully issued to the patentee, or rather that he is trustee for him who has the right; the material condition being not who has the patent, but to whom it ought to have been granted. For the land officers, in issuing the patent, act merely in a ministerial capacity, and cannot change the rules of law or rights of parties. And even though he who has the patent sells to a bona fide purchaser without notice, the vendee is in no better situation. His claim under the patent may be contested by one having a better right by settlement, warrant or location. These titles are not equities within the ordinary rule of being unavailing against the purchaser of the legal title. A patent founded on a fraudulent survey, or obtained by misrepresentation and deceit, is void against third persons affected by it.

The patent, however, has always been received in evidence in the first instance, to show that the legal title was out of the Commonwealth. The question whether it is good is a subsequent one—Sergeant.

Dates at which the county land lien dockets prepared under act of 20th May, 1864, and supplement of 4th April, 1868, were forwarded to the prothonotaries of the several counties.

Name of counties.	When sent.	Name of counties. Wh	en sent.
BedfordM	ay 6, 1869	MontourMay	6, 1869
Berks	66	IndianaJuly	17, 1869
Bueks	46	Washington	66
Bradford	66	Centre	66
Greene	66	Venango	"
Lancaster	66	Clarion	66
Lyeoming	66	Jefferson	66
Lebanon	66	Armstrong	"
Potter	66	NorthumberlandMay	6, 1869
Susquelianna	66	Schuylkill	"
Chester	"	Fulton	"
Columbia	"	Tioga May	25, 1869
Dauphin	"	Somerset	"
Delaware	"	Union June	22, 1869
Franklin	66	Fayette	"
Montgomery	66	Westmoreland	6.

Name of counties.	When sent.	Name of counties. Wh	en sent.
Lehigh	June 22, 1869	ButlerAug.	12, 1869
Adams	46	Mercer	"
Carbon	"	Lawrence	"
Pike	"	Crawford	64
Monroe	"	Erie	"
Northampton	66	Cumberland	"
Wayne	4.6	Perry	6.
Clinton	**	Juniata	44
York	July 17, 1869	AlleghenyOct.	22, 1869
Snyder	Aug. 12, 1869	Clearfield	"
Warren	"	CambriaOct.	26, 1869
Huntingdon	Sept. 8, 1869	M'Kean	"
Sullivan	66	Forest	"
Wyoming	44	ElkNov.	S, 1869
Mifflin	Sept. 14, 1869	Cameron	"
Blair	Sept. 22, 1869	PhiladelphiaNov.	27, 1869
Beaver	Aug. 12, 1869	Luzerne	

PATENTS.

The following regulations relative to issuing patents are published for the information and guidance of owners of unpatented lands:

- I. The patent must issue to the actual owner of the land or party holding title under the warrantee, or to the executors, trustees, or heirs and legal representatives of the person in whom title was vested at death, or to the guardians of minor children of the deceased.
- II. Warrantees who remain the owners of the land warranted and surveyed to them, can obtain patents in their own names (if no caveat remains undetermined) without furnishing any brief or statement of title, upon payment of back purehase money, interest and fees.
- III. Executors, trustees and guardians representing the warrantee, or his heirs, who apply for patents, should produce evidence of their appointment as such.
- IV. When the land has passed out of the ownership of the original warrantee, or party who took out the office right, the applicant for patent will be required to furnish evidence of ownership.
- V. The present owner of a part of a tract of land surveyed in pursuance of any given warrant, desiring to have a patent in his own name, can obtain it by having the county surveyor make return of survey of such part. In making the survey the county surveyor should, besides giving the courses and distances and quantity of acres in the particular part, indicate the whole of the original tract by dotted lines. The applicant will only be required to

pay his proportion of the whole amount due on the tract, with fees. Evidence of ownership to accompany application.

VI. When an unpatented original tract has been sold and sub-divided, the several present owners may unite in an application for patent and statement of title, and upon payment of amount due, with patent and other fees, a patent will issue to them, the said applicants, their heirs and assigns, according to their respective rights and interests, without setting forth the particular interest of each.

VII. In eases where it is difficult to submit the evidence of title required by this office in order to obtain a patent, any one or more of the owners of an unpatented tract can, through this Department, discharge the lien against said tract by the payment of the purchase money, interest and fees shown to be due by the land lien docket, and the interest since accrued, and a patent can at any time afterwards issue to those entitled to it upon proof of ownership.

VIII. The accounts in the lien docket are calculated to June 1, 1868. If to the amount due, as shown in its proper column, there be added the interest accruing from June 1, 1868, to the date of forwarding the docket to the prothonotary, at the rate given in the column of rate per cent. of interest, and on this sum, interest be calculated at the rate of six per cent. from the time of forwarding the docket until the date of the application for patent, it will give the amount required to procure a patent. (Sec 2d sect. act of 20th May, 1864.) But interest is not charged on patent or other fees. (See act of 5th May, 1871.)

A statement of the amount due on any particular tract or tracts, or any other information in relation thereto, will be promptly furnished, on applition to this office.

Persons sending money to the Surveyor General's office for payment of arrears on unpatented lands, and for records, &c., should send by express, or by draft, check or post office money order, payable to the order of the Surveyor General. If transmitted by mail, at all, the letter ought, at least, to be registered at the post office from which it is sent.

MISCELLANEOUS.

An endorsement, say for example, "Returned, &c., February 22, 1815," which is frequently found on eopies of warrants and surveys, does not mean the date at which the return of survey was received at this office, but the date at which the Surveyor General made a return of the tract to the Secretary of the Land Office for patenting. And when such endorsement is found on the back of a copy of a warrant or survey, even after the date at which the office of the Secretary of the Land Office was discontinued, it is an evidence in perhaps more than ninety-nine cases out of one hundred, that the

2 SUR. GEN. REP.

A mistaken idea, prevalent with many people not familiar with the Surveyor General's office, is that the Department has connected drafts, showing the location of every tract of land surveyed in the several counties, and that therefore whatever of vacant land there may be in the State, can be readily found out at this office, and that information can, without difficulty, be given as to the adjoining surveys of any named tract, without advising the Department of the names and dates of the warrants upon which such surveys were made. Had the lands of the Commonwealth been first surveyed, and afterwards sold, this idea would have been correct; but the very reverse was the fact, for the lands were sold and warrants for subsequent surveys issued. And because of this policy the Department has only single and unconnected copies of the surveys. Unless a given survey calls for warrantee adjoiners, it would be a work altogether out of proportion to the fees allowed, to undertake to search out all the warrants and surveys, perhaps for a whole county, in order to find the adjoining tracts, or search for a supposed vacant piece of land; but the task is a comparatively easy one when the party seek. ing the information learns, as he can more readily do from the county surveyor, or persons in the neighborhood, the names of all the surrounding warrantees and dates of warrants, and communicates that data to this office.

It will be observed, from the foregoing, that in communicating with the Department, it is of the first importance to give the name of the warrantee and date of warrant of the survey or patent about which inquiry is made; but when the date of warrant cannot be given, the party asking for official copies or information should give quantity of acres, location, and any other data in his possession that will aid in searching for the tract.

Frequently applications for warrants for land, made ont in due form, are sent to the office unaccompanied by the purchase money and warrant fee. Of course the warrants cannot issue until the proper amount of money is paid into the State Treasury, and the applications thus made gain no priority over others that might be made for the same lands, until all the requirements of law are complied with.

The law does not contemplate that credit should be given on account of fees for searches and official eopies, and therefore it is suggested that in order to save correspondence, and insure more speedy attention, the proper amount of fees should be sent with each order. If too much is forwarded, the surplus will be promptly returned with the official papers asked for.

RECENT LEGISLATION RELATING TO THE SUR-VEYOR GENERAL'S OFFICE.

AN ACT

Directing the entry of liens for the principal and interest due the Commonwealth, for lands held by virtue of locations, or other office titles.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the Surveyor General to make out a list of all lands held by location, or any other office right, issued from the Land Department of this Commonwealth, of every kind and description, upon which no patents have issued, designating the county in which such lands are situated, with such other descriptions of the same as the records of his office will enable him to give, including the names in which such locations or other office rights are entered, and surveys have been returned; and on the list being completed, or any part thereof, be transmitted to the prothonotary of the county in which such lands are situated.

Section 2. That it shall be the duty of the Surveyor General to calculate the amount of purchase money, interest and fees, due on each unpatented tract; and after the descriptions of said tracts have been transmitted to the prothonotaries of the respective counties, and entered as hereinafter provided, the amounts so found to be due, together with five dollars for the labor and costs of making out and filing, shall form an aggregate sum, which shall be entered in a lien docket to be provided and kept for that purpose; and said sum shall bear interest at the rate of six per cent.

Section 3. That it shall be the duty of the prothonotary of each county, upon receiving any descriptive list as aforesaid, to provide a suitable docket, with a proper index, for the purpose of recording all such descriptions of unpatented lands, and shall accurately record the same and index the name of the original warrantee or actual original settler, as the case may be, and each subsequent owner so far as ascertained, and preserve the same among the records of the county: *Provided*, That when any party in interest, by petition under oath or affirmation, setting out the facts in the case as in affidavit of defence, shall represent to the president judge of the court of common pleas of the county in which any tract or piece of land, against which the entry directed in the foregoing section has been made, or the principal part thereof, may lie, that said tract has been patented, either in the name against which the entry is made, or in any other name, the said judge shall, after such notice to the Surveyor Genera

as he shall deem proper, proceed to hear the ease of the petitioner; and the said judge shall, thereupon, make such deeree in the premises, either by directing the said entry to be struck from the record, or such other order as to said entry, and also as to costs, as may seem equitable.

Section 4. That it shall be the duty of the prothonotary of each county, upon receiving from the Surveyor General any such list or calculation of amounts due the Commonwealth for purchase money, interest and fees, to provide a suitable docket, with index, in the form of the lien dockets now in use in the several counties of this Commonwealth, to be styled "Lien Docket of Unpatented Lands," and enter therein the amount so found to be due, which sum shall remain a lien upon such tract or tracts until paid; and that a fee of fifty cents be paid to the prothonotary for each description so entered, and that he be allowed the same fees on the liens entered as are now allowed on judgments entered by warrant of attorney in the court of common pleas.

Section 5. That it shall be the duty of the prothonotary, upon receiving any such descriptive list, to eause the same to be published in two newspapers, in the county where such lands are located, for three successive weeks; for which publication he shall be authorized to pay fifty eents for each tract, and charge the same as costs on the lien docket, and retain his fees and costs out of any moneys in his hands due the Commonwealth.

Section 6. The amounts which may be due to the Commonwealth on the lands mentioned in the first section of this act, may be paid in accordance with the existing laws in relation to such lands, if the same be paid prior to the first day of November next: Provided, That any costs which may have accrued, in accordance with the provisions of this act, shall also be paid; and that the act to graduate lands on which money is due and unpaid to the Commonwealth of Pennsylvania, approved April tenth, Anno Domini one thousand eight hundred and thirty-five, be revived and continued in force until the said first day of November next; and any survey and appraisements made since the first day of August last, shall have the same validity for the issuing of patents thereon, as if the last mentioned law had been still in full force.

Section 7. That all liens due the Commonwealth for unpatented lands, after the first day of November, Anno Domini one thousand eight hundred and sixty-four, may be proceeded upon by the Attorney General of the Commonwealth, in the manner directed to be pursued against defaulting public officers, by the act of April sixteenth, one thousand eight hundred and forty-five, and the supplement thereto.

Section 8. All persons in the military and naval service of the United States shall be allowed one year after the expiration of said service, for the taking out of any patent or patents under the provisions of this aet.

0

Section 9. That hereafter the patent fee, on town lots not exceeding one-fourth of an acre, shall be one dollar, and on lots not exceeding two acres, five dollars.

HENRY C. JOHNSON,

Speaker of the House of Representatives.

JOHN P. PENNY,

Speaker of the Senate.

APPROVED—The twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

A. G. CURTIN.

Note.—The ninth section since made to read one-third of an acre, by a supplement, approved twenty fourth of August, one thousand eight hundred and sixty-four.

SUPPLEMENT

To an act directing the entry of liens for the principal and interest due the Commonwealth for lands held by virtue of location or other office titles, approved the twentieth day of May, one thousand eight hundred and sixty-four.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That in lieu of the descriptive lists provided for in said act, it shall be the duty of the Surveyor General to make out and forward to the prothonotaries of the several counties, lien dockets, to be styled "Land Lien Dockets," containing lists of all unpatented and patented lands, situate in the counties respectively, upon which there is money due the Commonwealth, and in all cases where surveys have been returned, to enter therein the amount of purchase money, interest and all fees due, and said aggregate shall remain a lien on such tract until paid, or otherwise legally discharged: Provided, That the several prothonotaries shall be allowed to charge the fees now authorized by law, when any information shall be desired from said record, and for entering any certificate, under the seal of the Surveyor General, setting forth that any lien or part of lien against an unpatented tract has been paid, shall charge the party presenting such certificate a fee of twenty-five cents for entering and filing the same.

Section 2. That the fifth section of the act to which this is a supplement, and so much of said act as is inconsistent herewith, be and the same is hereby repealed.

ELISHA W. DAVIS,

Speaker of the House of Representatives.

JAMES L. GRAHAM,

Speaker of the Senate.

APPROVED—The fourth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JNO. W. GEARY.

AN ACT

Directing public notice to be given when county land lien dockets are forwarded to the respective counties, and staying proceedings by the Attorney General for one year from the date of forwarding the same.

WHEREAS, The Surveyor General, at an early day, will be prepared to send out the county land lien dockets, containing accounts due the Commonwealth, on account of lands, prepared under the act approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four, and the supplement thereto, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight:

And whereas, It is proper that the people owing the State, for or on account of lands, should have notice when the liens therefor are entered in the counties, and that a reasonable time should be given to enable them to liquidate their indebtedness and obtain patents for their lands, before suits shall be brought in such cases by the Attorney General; therefore,

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That when any county land lien docket, prepared under the foregoing acts, shall be forwarded to any county, the Surveyor General is hereby authorized and directed to cause a notice thereof to be given in one English newspaper, published at the county seat of such county, and also in one German newspaper, if there be one in said county, setting forth that the land lien docket for that county has been forwarded to the prothonotary thereof: Provided, That no greater sum than ten dollars shall be paid for such notice or advertisement for any one county; and on evidence being submitted to the Auditor General that such advertisement has been authorized by the Surveyor General, and inserted at the usual rates of advertising, he shall draw his warrant on the Treasury in favor of the editor or publisher inserting the same.

Section 2. That no suit or suits shall be entered or instituted by the Attorney General, under the provisions of the seventh section of the act of the twentieth of May, Anno Domini one thousand eight hundred and sixty-four, until one year shall have clapsed from the date at which the Surveyor General shall have forwarded to each county, respectively, the land lien docket for the same.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The eighth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

A FURTHER SUPPLEMENT

To an act directing the entry of lien for the principal and interest due to the Commonwealth for lands held by virtue of locations or other office titles, approved the twentieth day of May, Anno Domino one thousand eight hundred and sixty-four.

WHEREAS, An examination of warrants and returns of survey show in many eases interferences in said returns, and in many instances where patents have issued on some of said surveys, there are balances due upon other warrants covering the same land; therefore,

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That whenever satisfactory evidence shall be given to the Surveyor General that a lien or liens have been entered against lands for which the Commonwealth has been fully paid, both for land and patent fees, he is hereby authorized, and it shall be his duty to give to the party or parties applying for the same, a release of said lien or liens, so far as said patented lands are concerned; which said release may be entered on the land lien docket, in accordance with the provisions of the supplement to the act of which this is a further supplement, approved the fourth day of April, Anno Domini one thousand eight hundred and sixty-eight.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The fifteenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

As many persons will apply for releases under the provisions of this law, it is deemed proper to state what will be regarded as satisfactory evidence by this Department: Applicants, in order to avail themselves of the act, should cause a plot or survey of the patented tracts, and the unpatented interfering tracts, (showing the manner in which, and to what extent, they cover the same land,) to be made by the county surveyor, who will certify that he has made the same, at the request of A, B and C—the owners of the patented tracts, or parts of tracts, or their agents or attorney—giving names of warrantees and dates of warrants and patents, and names and dates of warrants of the unpatented lands, and that he believes the interference or interferences to be as delineated by him. On a paper appended to the above plot of surveys, the applicant or applicants, his or their agent or attorney, will be required to make an affidavit that the interferences are believed to be as delineated by the county surveyor-

A release will then issue to the owner or owners of the patented tract or tracts, relieving them from any and all liability to pay the lien of the Commonwealth entered against such interfering unpatented tract or tracts.

A FURTHER SUPPLEMENT

To an act directing the entry of liens for the principal and interest due the Commonwealth for lands held by virtue of location or other office titles, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the board of property shall have full and discretionary power as to the time of entering suits, and the number thereof, to be brought for the collection of liens against unpatented lands, and the Attorney General shall proceed under the seventh section of the said act to which this is a further supplement, when authorized to do so by the said board: Provided, That no interest shall be charged on patent or other fees.

JAMES H. WEBB,

Speaker of the House of Representatives.

WILLIAM A. WALLACE,

Speaker of the Senate.

APPROVED—The fifth day of May, Anno Domini one thousand eight hundred and seventy-one.

JNO. W. GEARY.

A SUPPLEMENT

To an act, entitled "An Act relative to the election of Auditor General, Surveyor General and county surveyors by the people," approved April ninth, one thousand eight hundred and fifty.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the persons now or hereafter holding the office of county surveyor shall continue to hold and exercise all the duties appertaining to said office, until their successors are duly qualified according to the provisions of the act to which this is a supplement.

JOHN CLARK,

Speaker of the House of Representatives.

WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The seventeenth day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

AN ACT

Relative to returns of surveys to the office of the Surveyor General.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That so much of the second section of the act approved the sixth day of April, Anno Domini one thousand eight hundred and thirty, as restricts returns of surveys on warrants thereafter to be issued, to an amount not greater than ten per centum beyond the number of acres for which the warrant issued, be and the same is hereby repealed: Provided, That any excess which may be returned under the provisions of prior laws shall be paid at the time of making such return of survey to the Surveyor General, otherwise the same shall not be accepted.

JOHN CLARK,

Speaker of the House of Representatives. WILMER WORTHINGTON,

Speaker of the Senate.

APPROVED—The twenty-first day of April, Anno Domini one thousand eight hundred and sixty-nine.

JNO. W. GEARY.

A FURTHER SUPPLEMENT

To an act directing the entry of liens for the principal and interest due the Commonwealth for lands held by virtue of location or other office title, approved the twentieth day of May, Anno Domini one thousand eight hundred and sixty-four.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That for carrying into full effect the provisions of the act to which this is a supplementary, it shall be the duty of the Surveyor General to make out and forward to the several county surveyors respectively, from time to time, as the Board of Property may determine, special lists of warrantee names of unpatented tracts, or remaining parts of unpatented tracts, of lands within the several counties, as the same may appear upon the land lien dockets, with such other data relating thereto as he may deem necessary.

Section 2. That it shall be the duty of the county surveyor of each county, to whom the Surveyor General may send special lists of warrantee names of unpatented tracts or parts of tracts of lands, and other data relating thereto, situate in the county for which such surveyor shall have been

elected or appointed, to endeavor to ascertain the names and residences of the owners, agents or occupiers, and location of said tracts or parts of tracts, or any of them, and to give personal notice in writing to said owners, agents or occupiers, that said tracts or parts of tracts are unpatented. and that unless the arrearages shall have been paid within six months from the time of sending or serving said notice, the Board of Property may direct proceedings to be commenced by the attorney general to enforce payment under the provisions of the act to which this is a further supplement: Provided, That when unpatented lands as aforesaid are unoccupied, and the owners are non-residents of the county, and have no known agent or agents within the county, the said notice may be given by sending it by mail, addressed to the owners or agents, and directed to the post-office nearest their place of residence or usual place of business: And provided further, That when lands as aforesaid are unseated, and have been sold for taxes, and the time limited for their redemption has not expired, it shall be the duty of the county surveyor to give notice, in the manner hereinbefore provided, to the purchasers or their agents, and also to the parties, or their agents, who last paid the taxes thereon previous to the sale.

Section 3. That it shall be the duty of the county surveyor to whom such special lists shall have been sent as aforesaid, to make a written report in duplicate, within three months, to the Surveyor General, filing a copy of the same in the prothonotary's office of each county, setting forth the names of warrantees, dates of warrants, location of tracts, and the names and residence of the owners, agents and occupiers of the unpatented tracts or parts of tracts upon whom he has served the notices aforesaid, together with the manner of service; and for serving such notices on all the owners, agents or occupiers of an original unpatented tract, or remaining part of an original unpatented tract, he shall be entitled to a fee of five dollars, to be paid out of the State Treasury, on warrants drawn by the Auditor General, upon the certificate of the Surveyor General.

Section 4. That it shall be the duty of the county surveyor, upon the reasonable request of any owner, or his agent, of part of an original tract which has not been patented, to make and return a return of survey of such part to the Surveyor General, and for which service his fees shall be the same as for executing a warrant of survey, as now provided by law for the same quantity of acres.

Section 5. That when any suits shall be entered by the Attorney General, under the act to which this is a further supplement, it shall be by scire facias sur liens, which shall be directed for service to the sheriff of the county in which the lands are situate; and if he finds it necessary to insure a service of said writ, he may call to his aid the county surveyor, who shall act as his deputy, for the purpose of serving such writ; and all such

writs shall be made returnable to the court of common pleas of the county wherein such lands are situate, where all such suits shall be tried.

WILLIAM ELLIOTT,

Speaker of the House of Representatives.

JAMES S. RUTAN,

Speaker of the Senate.

Approved—The eleventh day of April Anno Domini one thousand eight hundred and seventy-two.

JNO. W. GEARY.

PRICES OF LANDS IN PENNSYLVANIA AT VARIOUS PERIODS.

PRICES UNDER PENN AND HIS HEIRS.

Previous to the 27th of December, 1762, £15, 10s. (\$41–33) per hundred acres, with the exception of a few warrants in the lower counties at £3, 10s. (\$9–33) per hundred.

From the 27th of December, 1762, to the 5th of August, 1763, £9, (\$24) per hundred acres.

From the 5th of August, 1763, to the 6th of August, 1765, £15, 10s. (\$41 33.)

Locations and warrants from the 6th of July, 1765, to the 1st of July, 1784, £5 sterling, (\$22 22.)

PRICES UNDER THE COMMONWEALTH.

From the 1st of July, 1784, to the 3d of April, 1792, £10 (\$26 $66\frac{2}{3}$) per hundred acres.

New Purchase, 1784.—From the 1st of May, 1785, to the 1st of March, 1789, £30 (\$80.)

From the 1st of March, 1789, to the 3d of April, 1792, £20 (\$53 33 $\frac{1}{3}$.)

From the 3d of April, 1792, to the 1st of September, 1817, £5 (\$13 $33\frac{1}{3}$) for land in the purchase of 1784, east of the Allegheny river and Conewango creek, unimproved.

Purchase of 1768, and the previous purchases.—From the 3d of April, 1792, to the 28th of March, 1814, at the rate of fifty shillings (\$6 $66\frac{2}{3}$) per hundred acres.

Lands in the purchase of 1784, lying north and west of the rivers Ohio and Allegheny, and Conewango creek, £7, 10s. (\$20.)

Undrawn donation lands, from the 1st of Oetober, 1813, at the rate of \$1 50 per acre.

Donation lands reduced, from the 25th of February, 1819, to fifty cents per acre.

From the 21st of March, 1814, lands within the purchase of 1768, and the previous purchases, to be at the rate of £10 (\$26 66 $\frac{2}{3}$) per hundred acres.

From the 1st of September, 1817, lands within the purchase of 1784, east of the Allegheny river and Conewango creek, at the rate of £10, (\$26 66 $\frac{2}{3}$,) except such as have been settled on, agreeably to the act of the 3d of April, 1792, between said 3d of April and 1st of September, 1817.

Seventeen townships in Luzerne county—Price fixed by the commissioners: First class, \$2 per acre; second class, \$1 20; third class, 50 cents; fourth class, $8\frac{1}{4}$ cents.

PRESENT PRICE./

The present price of all vacant and unimproved land is now at the rate of £10 (\$26 66 $\frac{2}{3}$) per hundred acres, except the following:

Lands lying north and west of the rivers Ohio and Allegheny, and Conewango creek, \$20 per hundred acres.

Reserve tracts near Eric, Waterford, &c., price fixed by commissioners. Lands improved agreeably to the act of the 3d of April, 1792, fifty shillings, (\$6 $66\frac{2}{3}$,) and £5 (\$13 $33\frac{1}{3}$) per hundred acres.

Lands held by Virginia warrants in the south-west part of the State—the warrants show the terms. Lands were taken under Virginia warrants as low as ten shillings per hundred acres.

It is the practice in the Land Office to charge for the excess of land above ten per cent. on fifty shilling warrants, at the rate of £10 per hundred acres.

WARRANT AND PATENT FEES.

Fee for warrant, \$4 50; for patent, \$10, except town lots under one-third of an acre, which are \$1, and lots over one-third, and not exceeding two acres, which are \$5. Fee for entering lien under act of 20th May, 1864, \$5 for each tract.

FORMS.

FORM No 1.

FORM OF APPLICATION FOR LAND ON WHICH A SETTLEMENT HAS BEEN MADE.
, of the township of, in the county of, applies
for ——acres of land, situate in said township and county, adjoining lands
of ——— on the east, ——— on the south, ——— on the
west, and——— on the north.
To the Surveyor General.
——— County, ss:
Before us, the subscribers, two of the justices of the peace in and for said
county, personally came ———, a disinterested witness, and being
sworn agreeably to law, did depose and say, that to his certain knowledge,
the above described tract of land was first improved in the month of ———,
A. D. ——, and not before; that grain has been raised thereon, and that
the said ———— and family are now settled and reside on the same
tract of land, and has continued to reside thereon ever since the —— day
of, A. D
Sworn and subscribed before me this ————————————————————————————————————
A—B—, J. P. C—D—, J. P.
County, ss:
Before me, the subscriber, a justice of the peace in for said county,
personally came — , the above named applicant, who being duly
sworn according to law, did despose and say, that to the best of his know-
ledge and belief, no warrant or other office right was issued for the land
above described, either in his own name, or in the name or names of and
person or persons under whom he claims the same.
Sworn and subscribed before me, this —— day of ——, A. D. ——.
E—— F——, J. P.
= $=$ $=$ $=$ $=$ $=$ $=$ $=$ $=$ $=$

This last certificate is not necessary in the purchase of 1784, embracing the counties of Erie, Crawford, Mercer, Lawrence, Butler, Venango, Clarion, Jefferson, Forest, Warren, Elk, Cameron, M'Kean, Potter and Tioga; Bradford county west of the Susquehanna and north of Towanda ereek; Lycoming west of Pine creek; Clinton and Clearfield north of the West Branch of the Susquehanna; Indiana and Armstrong north of a line drawn from Canoe Place to Kittanning, and thence down the Allegheny river; Allegheny north of the Ohio and Allegheny rivers, and Beaver north of the Ohio river.

FORM No. 2.

101111 100. 2.
FORM OF APPLICATION FOR LAND WHICH HAS BEEN IMPROVED BUT NOT SETTLED ON.
for — acres of land, situate in said township and county, adjoining lands of — on the east, — on the south, — on the west, and — on the north.
To the Surveyor General.
Before us, the subscribers, two of the justices of the peace in and for said county, personally came ————————————————————————————————————
Before me, the subscriber, a justice of the peace in and for said county personally eame — — , the above named applicant, who being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, no warrant or other office right was issued for the land above described, either in his own name or in the name or names of an person or persons under whom he claims the same.
Sworn and subscribed before me, this — day of ———, A. D. ——.

This last certificate is not necessary in the purchase of 1784.

Note.—The law requires the witness and applicant to subscribe to the affidavit.

FORM No. 3.

FORM OF APPLICATION FOR UNIMPROVED LANZ

, of the township of, in the county of, applies for aeres of land, situate in said township and county, adjoining land of on the east, on the south, on the west, and on the north.
To the Surveyor General.
· ——
County, ss:
Before us, the subscribers, two of the justices of the peace in and for said county, personally eame ———————————, a disinterested witness, who being sworn according to law, did depose and say, that to his certain knowledge the land described in the above application is unimproved, and as he verily believes, not heretofore claimed by any other person.
Sworn and subscribed before us, this — day of ———————————————————————————————————
County, ss:
Before me, the subscriber, a justice of the peace in and for said county personally came — ———, the above named applicant, who being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, no warrant or other office right was issued for the land above described, either in his own name, or in the name or names of any person or persons under whom he claims the same.
Sworn and subscribed before me, this — day of ———————————————————————————————————

FORM No. 4.

FORM OF APPLICATION FOR LAND NORTH AND WEST OF THE OHIO AND GHENY RIVERS AND CONEWANGO CREEK, ON WHICH AN ACTUAL SETT AND IMPROVEMENT HAS BEEN MADE.	
A—— B——, of the township of ———, in the county of ———, for a patent for ——— acres ———— perches of land, lying north a of the rivers Ohio and Allegheny and Conewango ereek, situate in the ship of ————, in the county of ————, adjoining lands of ———————————————————————————————————	nd wes ne town - on th - on th
Before the subscribers, two of the justices of the peace in and a county, personally came C—— D——, a disinterested witness, who sworn according to law, deposes and saith, that to his certain knowled above described and applied for land was first improved by ———————————————————————————————————	o being dge, the dge, or othe dge, had othe
siding thereon, and that he has cleared and cultivated at least ————————————————————————————————————	acres o
C—— D——————————————————————————————————	Л. Р.
I, E—— F——, County Surveyor, in and for the county of —— hereby certify, that from the survey books and other official documents possession, the above described and applied for tract of land deappear to have been surveyed or appropriated to any other person the said applicant, or any other person under whom he claims the same rant or otherwise. In witness whereof, I have hereunto set my hand, this —— day of A. D. ——.	ents incess not han the by war
E—— F——, County Surv	eyor.

FORM No. 5.

FOR RETURN OF AN ORIGINAL SURVEY.

of six non cent for needs for situated in township in the country
of six per cent. for roads, &c., situated in township, in the county
of ——, surveyed the —— day of ——, 187-, in pursuance of a warrant
granted to, dated the day of, 18
To, Surveyor General, C. S.
FORM No. $5\frac{1}{2}$.
FOR RETURN OF A TRACT SURVEYED BY A FORMER DEPUTY OR COUNTY SURVEYOR.
Draft of a tract of land containing —— acres and —— perches and allowance of six per cent. for roads, &c., situate in ——— township, in the county
of ——, surveyed the —— day of ——, by ————, then —— sur-
veyor, in pursuance of a warrant granted to, dated the
day of ——.
I hereby certify that the foregoing is a correct copy of a survey filed
amongst the records of the County Surveyor's office, of this county, and that
it has been examined by me and found to be correct.
To ————————————————————————————————————
FORM No. 6.
FOR RETURN OF PART OF A TRACT FOR PATENTING.

To ---- Surveyor General.

Note.—When this form is used, the county surveyor should indicate by dotted lines the remainder of the original survey; thus showing the particular location of the part returned.

3 SUR. GEN. REP.

FORM No 7.

FORM OF APPLICATION FOR PATENT WHEN THE PRESENT OWNER CAN GIVE STATEMENT OF TITLE FROM THE WARRANTEE OR PARTY WHO TOOK OUT THE OFFICE RIGHT.
I, ————, of ———, in the county of ———, the present owner of ———————————————————————————————————
To the Surveyor General.
County, ss:
Before me, the subscriber, a justice of the peace in and for said county personally came ————————————————————————————————————
Before me, the subscriber, a justice of the peace in and for said county, personally came ————————————————————————————————————
Note.—When there is more than one owner of the tract, or when the application is for part only of the original tract, the form can be varied to suit the requirements of the case.

FORM NO. 8.

FORM OF APPLICATION FOR PATENT WHEN THE PRESENT OWNER CANNOT GIVE A COMPLETE STATEMENT OF TITLE FROM THE WARRANTEE OR OTHER PER-SON WHO TOOK OUT THE OFFICE RIGHT,

I, — , of — , in the county of — , the present owner of — acres and — perches, and allowance of land, now situated in — township, — county, surveyed on a warrant to — , dated the — day of — , herewith forward the amount of purchase money, interest and fees due the Commonwealth, and request that a patent issue in my name for the said tract. And further represent, that owing to the length of time which has clapsed since the warrant was taken out, and the great number of conveyances and assurances in law vesting title to the same, I am unable to give a connected statement of them.

To the Surveyor General.

----- County, ss:

Before me, the subscriber, a justice of the peace in and for the said county, personally came ——————————, the above named applicant, who, being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, the facts set forth in the foregoing application are true; and further, that he does not know of any other person or persons claiming title to the above described land, under the aforesaid warrantee.

Sworn and subscribed before me, this — day of——.

____, J. P.

---- County, ss:

Before me, the subscriber, a justice of the peace in and for said county, personally eame————, a reputable citizen of the township and county in which the land is situate, for which a patent is asked in the foregoing application, who, being duly sworn according to law, did depose and say, that to the best of his knowledge and belief, the aforesaid applicant, and those under whom he claims title, have held the above described tract of land by peaceable possession, and the exercise of ownership, for more than twenty-one years last past.

Sworn and subscribed before me, this — day of ——. J. P.

Note.—When there is more than one owner of the tract, or when the application is for part only of the original tract, the form can be varied to suit the requirements of the case.

Names and date, day, month and year of the erection of the several eounties of the Commonwealth of Pennsylvania, and the territory from which they were formed; the three first counties which were formed, to wit: Philadelphia, Bucks and Chester, were established at the first settlement of the Province of Pennsylvania, and formed the only original counties of all that territory of which the now great State is formed, comprised of sixty-six counties, as follows, viz:

- 1. Adams, January 22, 1800, formed of a part of York.
- 2. Allegheny, September 24, 1788, formed of a part of Westmoreland and Washington.
- 3. Armstrong, March 12, 1800, formed of a part of Allegheny, Westmoreland and Lycoming.
- 4. Beaver, March 12, 1800, formed of a part of Allegheny and Washington.
- 5. Bedford, March 9, 1771, formed of a part of Cumberland.
- 6. Berks, March 11, 1752, formed of a part of Philadelphia, Chester and Lancaster.
- 7. Blair, February 26, 1846, formed of a part of Huntingdon and Bedford.
- 8. Bradford, February 21, 1810, formed of a part of Luzerne and Lycoming.*
- 9. Bucks, one of the original counties of the Province.
- 10. Butler, March 12, 1800, formed of a part of Allegheny.
- 11. Cambria, March 26, 1804. formed of a part of Huntingdon, Somerse, and Bedford.
- 12. Cameron, March 29, 1860, formed of a part of Cliuton, Elk, M'Kean and Potter.
- 13. Carbon, March 13, 1843, formed of a part of Northampton and Monroe.
- 14. Centre, February 13, 1800, formed of a part of Mifflin, Northumberland, Lycoming and Huntingdon.
- 15. Chester, one of the original counties established at the first settlement of the Province.
- 16. Clarion, March 11, 1839, formed of a part of Venango and Armstrong.
- 17. Clearfield, March 26, 1804, formed of a part of Lycoming and North-umberland.

^{*} Previous to March 24, 1812, this county was called Ontario, but its name was ahanged to Bradford on that day.

[†] Bucks county was one of the three original counties established at the first settlement of the Province of Pennsylvania; the other two being Philadelphia and Chester.—See Votes of the Assembly, Vol. 1.

- 18. Clinton, June 21, 1839, formed of a part of Lycoming and Centre.
- 19. Columbia, March 22, 1813, formed of a part of Northumberland.
- 20. Crawford, March 12, 1800, formed of a part of Allegheny.
- 21. Cumberland, January 27, 1750, formed of a part of Lancaster.
- 22. Dauphin, March 4, 1785, formed of a part of Lancaster.
- 23. Delaware, September 26, 1789, formed of a part of Chester.
- 24. Elk, April 18, 1843, formed of a part of Jefferson, Clearfield and M'Kean.
- 25. Erie, March 12, 1800, formed of a part of Allegheny.
- 26. Fayette, September 26, 1783, formed of a part of Westmoreland.
- 27. Forest, April 11, 1848, formed from a part of Jefferson and Venango.*
- 28. Franklin, September 9, 1784, formed from a part of Cumberland.
- 29. Fulton, April 19, 1850, formed from a part of Bedford.
- 30. Greene, February 9, 1796, formed from a part of Washington.
- 31. Huntingdon, September 20, 1787, formed from a part of Bedford.
- 32. Indiana, March 30, 1803, formed from a part of Westmoreland and Lycoming.
- 33. Jefferson, March 26, 1804, formed from a part of Lycoming.
- 34. Juniata, March 2, 1831, formed from a part of Mifflin.
- 35. Lancaster, May 10, 1729, formed from a part of Chester.
- 36. Lawrence, March 25, 1850, formed from a part of Beaver and Mcrcer.
- 37. Lebanon, February 16, 1813, formed from a part of Dauphin and Lancaster.
- 38. Lehigh, March 6, 1812, formed from a part of Northampton.
- 39. Luzerne, September 25, 1786, formed from a part of Northumberland.
- 40. Lycoming, April 13, 1796, formed from a part of Northumberland.
- 41. M'Kean, March 20, 1804, formed from a part of Lycoming.
- 42. Mercer, March 12, 1800, formed from a part of Allegheny.
- 43. Mifflin, September 19, 1789, formed from a part of Cumberland and Northumberland.
- 44. Monroe, April 1, 1836, formed from a part of Northampton and Pike.
- 45. Montgomery, September 10, 1784, formed from a part of Philadelphia.
- 46. Montour, May 3, 1850, formed from a part of Columbia.
- 47. Northampton, March 11, 1752, formed from a part of Bucks.
- 48. Northumberland, March 27, 1772, formed from parts of Lancaster, Cumberland, Berks, Bedford and Northampton.
- 49. Perry, March 22, 1820, formed from a part of Cumberland.
- 50. Philadelphia, one of the three original counties established at the first settlement of the Province.
- 51. Pike, March 26, 1814, formed from a part of Wayne.
- 52. Potter, March 26, 1804, formed from a part of Lycoming.

^{*} Part of Venango added by act approved October 31, 1866.

- 53. Schuylkill, March 1, 1811, formed from a part of Berks and Northampton.
- 54. Snyder, March 2, 1855, formed from a part of Union.
- 55. Somerset, April 17, 1795, formed from a part of Bedford.
- 56. Sullivan, March 15, 1847, formed from a part of Lycoming.
- 57. Susquehanna, February 21, 1810, formed from a part of Luzerne.
- 58. Tioga, March 26, 1804, formed from a part of Lycoming.
- 59. Union, March 22, 1813, formed from a part of Northumberland.
- 60. Venango, March 13, 1800, formed from a part of Allegheny and Lycoming.
- 61. Warren, March 12, 1800, formed from a part of Allegheny and Lycoming.
- 62. Wayne, March 21, 1798, formed from a part of Northampton.
- 63. Washington, March 28, 1781, formed from a part of Westmoreland.
- 64. Westmoreland, February 26, 1773, formed from a part of Bedford, and in 1785 part of the purchase of 1784 was added thereto.
- 65. Wyoming, April 4, 1842, formed from a part of Luzerne.
- 66. York, August 19, 1749, formed from a part of Lancaster.

A TABULAR STATEMENT.

Of the population, square miles and number of acres in the several counties of the Commonwealth of Pennsylvania, together with the Names of their respective County Seats. Revised statement of the population of 1870, obtained from the Superintendent of the Ninth Census.

NAMES.	Popula'n 1860.	Popula'n 1870.	Square miles.	Acres.	County seats.
Adams	28,006	30, 315	528	337, 920	Gettysburg.
Allegheny	178, 831	262, 204	754	482, 560	Pittsburg.
Armstrong	35, 797	43, 382	639	408, 960	Kittanning.
Beaver	29, 140	36, 148	466	298, 240	Beaver c. h.
Bedford	$\frac{1}{26}$, 736	29,635	994	636, 160	Bedford.
Berks	93,818	106,701	920	588,800	Reading.
Blair	27, 829	38,051	594	380, 160	Hollidaysburg,
Bradford	48,734	53, 204	1, 174	751, 360	Towanda.
Bucks	63,578	64, 336	605	387, 200	Doylestown.
Butler	35, 594	36,510	785	502, 400	Butler.
ambria	29, 155	36, 569	670	428, 800	Ebensburg.
Cameron*	20, 100	4,273	407	260, 480	Emporium.
Centre	27,000	34,418	1,075	688,000	Bellefonte.
Carbon	21,033	28, 144	400	256, 000	Mauch Ch'nk.
hester	74,578	77, 805	738	472, 320	West Chester.
clarion		26, 537	600	384,000	Clarion.
learfield	24, 988 18, 759	25,741	1,190	761,600	Clearfield.
linton		23, 211	924		Lock Haven.
columbia	17,723	28, 766	431	591, 360	Bloomsburg.
rawford	25,065		984	275, 840	Meadville.
limborland	48,755	63, 832		629,760	Carlisle.
Cumberland	40,098	43, 912	544	348, 160	
Dauphin	46,756	60,740	559	357, 760	Harrisburg.
Delaware	30, 597	39, 403	177	113, 280	Media.
Elk	5, 915	8,488	698	446,720	Ridgway.
Erie	49, 432	65, 973	750	480,000	Erie.
ayette	39, 909	43, 284	824	527, 360	Uniontown.
Forest†	898	4,010	445	284, 800	Tionesta.
ranklin	42, 126	45, 365	750	480,000	Chambersburg.
Fulton	9, 131	9,360	420	268,800	M'Connellsburg.
reene	24, 343	25, 887	608	389, 120	Waynesburg.
Iuntingdon	28, 100	31,251	840	537, 600	Huntingdon.
ndiana	33, 687	36, 138	770	492, 800	Indiana.
efferson	18,270	21,656	645	412,800	Brookville.
uniata	16,986	17,390	351	224,640	Mifflintown.
ancaster	116, 314	121, 340	950	608,000	Lancaster.
awrence	22, 999	27, 298	358	229, 120	New Castle.
ebanon	31, 831	34, 096	306	195,840	Lebanon.
ehigh	43,753	56, 796	364	232, 960	Allentown.
uzerne	90, 244	160, 755	1,400	896,000	Wilkesbarre.
ycoming.	37,399	47,626	1,080	691, 200	Williamsport.
1'Kean	8,859	8,825	1,120	716, 800	Smethport.
1ercer	36,856	49,977	650	416,000	Mercer.
1ifflin	16,340	17, 508	370	236, 800	Lewistown.
10nroe	16,758	18, 362	600	384,000	Stroudsburg.
lontgomery	70,500	81,612	472	303, 080	Norristown.
iontour	13,053	15, 344	148	94,720	Danville.
orthampton	47, 904	61, 432	375	240,000	Easton.
orthumberland	28, 922	41, 444	457	292, 480	Sunbury.
erry	22,793	25, 447	539	344, 960	N. Bloomfield.
hiladelphia	565, 529	674, 022	126	80, 640	Philadelphia.
arried forward	2, 411, 421		32, 574	20, 848, 360	

 $^{^{*}\,\}mathrm{Not}$ organized until after the census of 1860 had been taken. The population included in other counties.

[†]Part of Venango county added to Forest, by act of Assembly, approved October 31, 1866. The population transferred not ascertained.

TABULAR STATEMENT—Continued.

Schuylkill. 89,510 116,428 760 486,400 Pottsville. Snyder. 15,035 15,606 293 187,520 Middleburg Somerset. 26,778 28,226 1,066 682,240 Somerset. Sullivan. 5,637 6,191 433 275,200 Laporte. Susquehanna. 36,267 37,523 797 510,080 Montrose. Tioga. 31,044 35,097 1,116 714,240 Wellsboro'. Union. 14,145 15,565 258 165,120 Lewisburg. Venango* 25,043 47,925 516 330,240 Franklin. Warren. 19,190 23,897 861 551,040 Warren e. h Washington 46,805 48,483 896 573,440 Washingtor Wayne 32,239 33,188 720 460,800 Honesdale.	NAMES.	Population 1860.	Population in 1870.	Square miles.	Aeres.	County seats.
	Pike	7, 155 11, 470 89, 510 15, 035 26, 736 36, 267 31, 044 14, 145 25, 043 19, 190 46, 805 32, 239 53, 736 12, 540 68, 200	11, 265 116, 428 15, 606 28, 226 6, 191 37, 523 35, 097 15, 565 47, 925 23, 897 48, 483 33, 188 58, 719 14, 585 76, 134	1,071 760 293 1,066 433 797 1,116 258 516 861 896 720 1,050 409	384,000 685,440 486,400 187,520 682,240 275,200 510,080 714,240 165,120 330,240 551,040 573,440 460,800 672,000 261,760 576,000	Coudersport. Pottsville. Middleburg. Somerset. Laporte. Montrose. Wellsboro'. Lewisburg. Franklin. Warren e. h. Washington. Honesdale. Greensburg. Tunkhannock. York.

*Part of Venango county added to Forest, by act of Assembly, approved October 31, 1866. The population transferred not ascertained.

Pennsylvania is situate between 39 deg. 43 min. and 42 deg. north ratifude, and 2 deg. 17 min. east, and 3 deg. 31 min. west longitude, from Washington. Its mean length is 280.39 miles, mean breadth 158.05 miles; its greatest length is $302\frac{1}{10}$ miles, and greatest breadth 175 miles and 192 perches.

The latitude of Greenwich is 51 deg. 28 min. 39 sec. north, and the latitude of Washington 38 deg. 53 min. 39 sec. north. The longitude of Philadelphia from Greenwich is 75 deg. 18 min. west, and the longitude of Greenwich from Washington is 77 deg. 9 min. east.

The above statement has been taken and calculated from the best charts and tables known and accessible to the Land Office.

List of County Surveyors whose election or appointment by court has been officially reported to this Department.

COUNTIES.	NAME OF SURVEYORS.	POST OFFICE.
Adams	Jesse D. Keller	Hanover, York county
Allegheny	Robert Clugston	Pittsburg.
Armstrong	Alexander Gordon	Leechburg.
Beaver	Daniel M. Dougherty	New Brighton.
Bedford	Hiram Blackburn	Spring Meadow.
Berks	Daniel S. Zacharias	Reading.
Blair	James L. Gwin	Altoona.
Bradford	Oliver W. Stevens*	Camptown.
Bucks	M. D. Frankenfield	Bucksville.
Butler	Nathan A. Slater	Petersburg.
Cambria	Henry Scanlan	Carrolltown.
Cameron		Driftwood.
Carbon	Henry Boyer*	Weissport.
Centre		Howard.
Chester	william 1. Mitchen	Howard.
Clarion		Limestone.
Clinton		ata.
Clearfield	Samuel F McClockers	Sugar Valley.
Crawford		Curwensville,
Columbia	Thomas Van Horn*	Meadville.
Cumberland	Isaac A. Dewitt	Rohrsburg.
		Carlisle.
Dauphin	Thomas Strohm	Linglestown.
Delaware	Community 1 1	D: I
Elk	George Walmsley	Ridgeway.
Erie		Erie.
Fayette		Masontown.
Forest		Tionesta.
Franklin	John B. Kaufman	Upper Strasburg
Fulton		M'Connellsburg.
Greene		Oak Forest.
Huntingdon		Wilsonia.
Indiana		Indiana.
Jefferson		Brookville.
Juniata		Walnut P. O.
Lancaster		Strasburg.
Lawrence		New Castle.
Lebanon		Ono P.O.
Lehigh	George Blank*	Coopersburg.
Lycoming	John S. Laird	Jersey Shore.
Luzerne		Wilkesbarre.
Mcreer		Mercer.
Mifflin	John Swartzell	Siglerville.
M'Kean		
${f Monroe}\dots\dots$	Melchoir Sprogle*	Stroudsburg.
Montgomery	David F. Reinert	- 0
${f Montour} \ldots \ldots$	George W. West	Danville.
${f Northampton}\dots$		

COUNTY SURVEYORS—Continued.

COUNTIES. NAME OF SURVEYORS.		POST OFFICE.	
Northumberland	David J. Lewis	Mt. Carmel.	
Perry Philadelphia		Landisburg	
Pike		Dingman's Ferry.	
Potter		Coudersport.	
Sehuylkill		Landingville.	
Somerset		Somerset.	
Sullivan		Eldredsville.	
Susquehanna		Montrose.	
Snyder		Middleburg.	
Tioga		Wellsboro'.	
Union		Lewisburg.	
Venango	1	Franklin.	
Warren		Warren.	
Washington		Zollersville.	
Wayne	. Edwin E. Tallman*	Starrucca.	
Westmoreland		Ridgeview.	
Wyoming	. Zebulan P. Marcy	Nicholson.	
York	Benjamin Leese	Codorus.	

^{*}Those marked with star hold over under act of 17th April, 1869; this Department not having been advised that successors have been elected or appointed and qualified.

0.631



